

**JAMS**

<b>JAMES NICHOLAS AYERS, THE J.</b>	§	
<b>NICHOLAS AYERS 2021 IRREVOCABLE</b>	§	
<b>TRUST, and AYERS FAMILY</b>	§	
<b>HOLDINGS, LLC,</b>	§	
	§	
<b>Claimants,</b>	§	<b>JAMS ARBITRATION NO. 5310000148</b>
	§	
<b>TOBY NEUGEBAUER</b>	§	
	§	
<b>Respondent.</b>	§	

**SANCTIONS ORDER**

**Parties and Counsel:** The parties are identified in the caption and are represented as follows:

Rogge Dunn  
Chase J. Potter  
Greg P. McAllister  
Rogge Dunn Group  
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Counsel for Claimants, James Nichols Ayers, The J. Nicholas  
Ayers 2021 Irrevocable Trust and Ayers Family Holdings, LLC

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Pro Se Respondent

**Arbitrator:**

Harlan A. Martin  
JAMS – Local Solutions. Global Reach <sup>TM</sup>  
8401 N. Central Expressway, Suite 610  
Dallas, TX 75225  
Telephone: 214-744-5267

Following hearing on Claimants' Motion for Sanctions, at which time Attorneys Rogge Dunn and Chase Potter appeared for Claimant and Attorneys Josh Romero and Brad Knippa appear for the limited purpose of assisting pro se Respondent Toby Neugebauer at the hearing, this arbitrator ORDERS as follows:

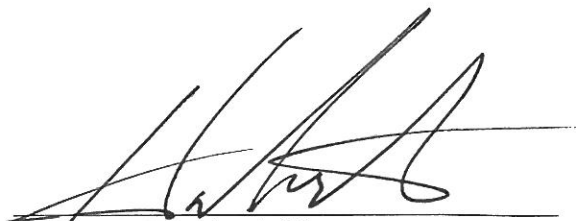
1. Claimant's Motion for Sanctions is sustained.
2. Respondent Toby Neugebauer is ordered to pay monetary sanctions for his failure to appear at previously noticed and ordered depositions.
3. On or before May 23, 2023, Respondent Toby Neugebauer shall pay attorneys Rogge Dunn Group the sum of Seven Thousand Nine Hundred Eighty-Four and 99/100 Dollars (\$7,984.99) for fees and costs incurred incident to his failure to appear at noticed and ordered depositions.
4. Respondent Toby Neugebauer shall appear and offer his sworn deposition at 10:00 AM, CT on May 23, 2023, at the offices of Claimant's attorneys:  

Rogge Dunn Group  
500 N. Akard, Suite 1900  
Dallas, TX 75201
5. JAMS administrator shall schedule a status conference call the week of June 5, 2023.

SO ORDERED.

Date:

May 9, 2023

  
Harlan A. Martin, Arbitrator